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~~EDWARD SOUZA~~ ~~OFFICE~~

Counsel for Defendant SOUZA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 11-00930-DLJ
)	
Plaintiff,)	STIPULATION AND []
)	ORDER CONTINUING SENTENCING
vs.)	HEARING DATE TO AUGUST 23, 2012
)	
MICHAEL EDWARD SOUZA,)	
)	
Defendant.)	
_____)	

STIPULATION

Defendant Michael Edward Souza, by and through Assistant Federal Public Defender Varell L. Fuller, and the United States, by and through Assistant United States Attorney Thomas O'Connell, hereby stipulate and agree, subject to the Court's approval, that the sentencing hearing currently set in this matter for Thursday, July 12, 2012, at 10:00 a.m., be continued to Thursday, August 23, 2012, at 10:00 a.m.

Mr. Souza pled pursuant to Rule 11(c)(1)(A) and 11(c)(1)(C) of the Federal Rule of Criminal procedure to one count of mail theft, in violation of 18 U.S.C. § 1708. A sentencing hearing is presently set in this matter for July 12, 2012. The parties respectfully request that the sentencing hearing be continued because of government counsel's unavailability due to a family

emergency, as well as defense counsel's need for additional time to complete witness interviews in connection with the sentencing mitigation investigation. Accordingly, the defense respectfully request that the sentencing hearing date be continued to August 23, 2012. United States Probation Officer Aylin Raya, who has been assigned to conduct the presentence investigation, has been consulted about the requested continuance and has no objection.

Dated: July 10, 2012

_____/s/_____
VARELL L. FULLER
Assistant Federal Public Defender

Dated July 10, 2012

_____/s/_____
SUSAN K. KNIGHT for
THOMAS O' CONNELL
Assistant United States Attorney

[] ORDER

GOOD CAUSE APPEARING, and by stipulation of the parties, it is hereby ordered that the sentencing hearing date set for Thursday, July 12, 2012, at 10:00 a.m. is continued to Thursday, August 23, 2012, at 10:00 a.m.

Dated: 7/13/12

THE HONORABLE D. LOWELL JENSEN
United States District Court Judge